

State of Rhode Island Office of the Health Insurance Commissioner
Health Insurance Advisory Council
Meeting Minutes
April 19, 2016, 4:30 P.M. to 6:00 P.M.
State of Rhode Island Department of Labor and Training
1511 Pontiac Avenue, Building 73-1
Cranston, RI 02920-4407

Attendance

Members

Co-Chair Commissioner Kathleen Hittner, David Feeney, Pat Mattingly, Al Charbonneau, Bill Schmiedeknecht, Rob Cagnetta, Vivian Weisman, Howard Dulude, Mike Souza, Tammy Lederer, Sam Salganik (for Karina Gibbs)

Not in Attendance

Co-Chair Steve Boyle, Al Kurose, Hub Brennan, Emmanuel Falck, Gregory Allen, William Martin, David Mathias, Wendy Mackie, Karl Brother

Issuers

Aetna: Ron Souza

Blue Cross Blue Shield of Rhode Island: Shawn Donahue

Delta Dental of Rhode Island: Kerri Bennett

Neighborhood Health Plan of Rhode Island: Patrick Tigue, Carolyn Rush

UnitedHealthcare: Lauren Conway

State of Rhode Island Office of the Health Insurance Commissioner Staff

Linda Johnson, Sarah Nguyen, Jay Garrett, Cory King, Tarah Provencal, Jim Lucht

Minutes

1. Welcome and Review of March Meeting Minutes

Commissioner Hittner called the meeting to order and welcomed all Health Insurance Advisory Council (HIAC) members and others in attendance. Al Charbonneau made a motion to accept the minutes from the March 22, 2016 HIAC meeting, seconded by Sam Salganik. The minutes were approved unanimously with no changes.

2. RIREACH Consumer Update

Sam Salganik (RIPIN) delivered the RIREACH consumer update. Mr. Salganik reported that the HealthSource RI open enrollment period closed out more smoothly than the previous year. HealthSource RI relocated its call center on April 4th. RIREACH did not experience any uptick in call

volume and so the transition seemed to be a smooth one from RIREACH's perspective. Complications around Medicaid continue to be a concern as consumers experience unexplained terminations. Mr. Salganik also reported that RIPIN was hiring staff for the RIREACH call center.

3. Health Reform Update

State Innovation Model (SIM): SIM Director Marti Rosenberg reported that SIM's current major project was completing its operational plan. This comprehensive plan must cover everything SIM will do in Rhode Island until the end of grant period, about three years from now. A draft is due to CMS by April 30, with another deadline on June 30. Ms. Rosenberg said there would be "plenty of opportunity" for the public to review and comment on the draft. She expressed an interest in bringing a draft before HIAC and the Commissioner agreed this was a good idea and that it should be added to HIAC's agenda for May or June.

In the meantime, SIM is preparing to procure for activities that have already been approved by SIM's steering committee. Marti also reported that interagency collaboration has been working very well. SIM is now engaged with the Department of Children, Youth and Families and the Rhode Island Department of Education along with the Office of the Health Insurance Commissioner, the Executive Office of Health and Human Services, HealthSource RI, the Department of Health, and the Department of Behavioral Healthcare, Developmental Disabilities and Hospitals.

Governor's Overdose Prevention and Intervention Task Force: Commissioner Hittner sits on the Governor's Overdose Prevention and Intervention Task Force and reported on their work to decrease the number of overdose deaths in Rhode Island, which continue to rise. The Commissioner said that this Task Force has heard a number of presentations and reports from experts. One effort is focused on working with the Department of Corrections to ensure that recently released inmates have access to treatment and support, even beginning before they are released from prison. Commissioner Hittner added that every state agency is expected to say how they will contribute to solving this crisis—for OHIC, that means looking at what can be done to limit the amount of narcotics that are prescribed. To that end, the Commissioner and Director of Health Dr. Nicole Alexander-Scott will be meeting regularly with the medical directors of all of Rhode Island's insurance carriers to work on the issue.

David Feeney commented that the cost of Narcan, an opioid antagonist that can save the life of an overdose victim, has been going up. He said there is a prescription monitoring program that physicians are supposed to use to help them avoid prescribing narcotics to at-risk patients, but that the system has suffered from technical difficulties, is "cumbersome," and is therefore underused by providers.

Mr. Salganik commented that RIPIN continues to see consumers experience difficulties accessing treatment caused by insurance. He said this was a problem for both public and commercial insurance.

Linda Johnson, OHIC, added that many of the barriers that exist are not carrier issues but rather systemic, and that authorization processes for opioids and opioid antagonists were being reviewed as part of OHIC's ongoing market conduct examination.

NAIC Meeting: Commissioner Hittner and Sarah Nguyen recently attended a National Association of Insurance Commissioner's meeting in New Orleans. The Commissioner reported that she attended a session on cybersecurity, which is particularly important for organizations and agencies dealing with medical information. NAIC is currently taking comments on a white paper regarding this issue.

Other topics relating to health insurance at the NAIC conference, as reported by Sarah: the federal risk adjustment program and its impact on smaller insurance companies, health insurance co-ops which are generally not doing well, mental health parity, and surprise billing.

4. Discussion on Consumer Materials for 2016 Form and Rate Review Process

Commissioner Hittner announced that UnitedHealthcare (United) would not be offering plans through HealthSource RI for 2017. United is planning to pull out of health exchanges in most states. The main reason cited for the Rhode Island exit was low subscriber volume. The Commissioner said it was unfortunate for consumers to lose choice but hoped that other carriers may step up and begin selling on HealthSource RI.

Ms. Nguyen directed the Council's attention to rate review consumer materials issued by OHIC in previous years as well as rate review materials issued by insurance departments in other states. The Council was asked to review these materials and offer feedback. Questions posed to the council included: Are these materials useful for consumers? Do they effectively convey information consumers want to know? Is OHIC focusing on the right things in its materials? How can we help consumers and employers better understand rate increases and the rate review process?

The Council discussed these materials from a consumer perspective. Patrick Tighe (Neighborhood Health Plan of Rhode Island) and Lauren Conway (United) also participated in the discussion, as well as Genevieve Martin from the RI Attorney General's office. A main point of the conversation was the distinction between factors that contribute to rate increases (such as medical trend) and factors that contribute to overall premium buildup (such as taxes and fees that stay consistent from year to year). Some Council members and others felt that this distinction was not clear on OHIC's current materials. Al Charbonneau and other Council members felt that both premium rate increase and overall premium buildup factors were important information for consumers. Mr. Tighe stressed that illustrating rate increase factors and overall premium buildup were separate and distinct exercises.

Mr. Salganik pointed out the need to differentiate between audiences when preparing these types of consumer materials and there was also some discussion over how to use more useful terms and concepts for the average consumer to understand. Accessibility of these consumer documents (posting them on OHIC's website versus more actively trying to get them directly to consumers) was also discussed.

5. Legislative Update

Tarah Provencal, OHIC, provided an update on legislation of interest to OHIC in the General Assembly. A bill relating to the licensing of freestanding emergency room facilities passed out of Senate committee and is scheduled for a floor vote on April 26th. This bill would subject freestanding emergency rooms, like the ones recently approved by the Department of Health, to the Certificate of Need process. Currently, such facilities are subject to a different process. Mike Souza said that the Hospital Association of Rhode Island wrote the legislation.

OHIC is currently working with the Attorney General's office on a bill to modify the Direct Pay hearing process. Ms. Provencal reported that both offices agree that there should be a formal hearing when the situation warrants it, but are still working out the details as to what would trigger such a hearing.

A bill prohibiting gender rating in all markets passed the Senate on April 14. There are bills in both chambers dealing with silent billing and seeking to establish a dispute resolution process. OHIC agrees that silent billing is a problem but also wants to see a solution that will prevent silent billing, not just address these bills after they have been issued.

5. APCD and Price Transparency Efforts

Jim Lucht, OHIC, delivered a presentation on the capability of Rhode Island's All-Payer Claims Database to produce price transparency information. OHIC reviewed a dozen APCD websites from other states. New Hampshire's site—NH HealthCost—did the best job in terms of presenting both cost and quality data in a consumer friendly manner. Jim shared some screenshots from the NH HealthCost site to illustrate its capabilities. The goal would be to have a Rhode Island APCD site with similar capabilities. This site would include cost and quality data for a limited subset of procedures and facilities at first and gradually expand over time. Because New Hampshire's site was developed using federal funds, the code is freely distributed and would be available for Rhode Island to use.

In closing, Mr. Lucht pointed out that such price and quality data may have only limited consumer use, but it also helps to raise general awareness of price disparities and lay the groundwork for value-based payments.

6. Public Comment

No members of the public offered comment.

Next Meeting

The next meeting of the Health Insurance Advisory Council will be Tuesday, May 17, 2016 from 4:30 P.M. to 6:00 P.M. at the State of Rhode Island Department of Labor and Training, 1511 Pontiac Avenue, Building 73-1, Cranston, RI 02920-4407.